



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :

S. Thomas Lee et al. : Examiner: Michele Lynn Jacobson

U.S. Serial No. 10/591,771 : Group Art Unit: 1782

Filed August 8, 2007 : CONFIRMATION NO. 4266

Docket No. 1765 (TI-04-8) :

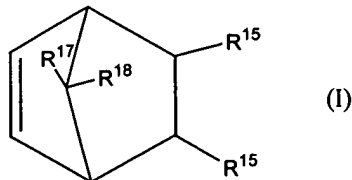
For: MULTILAYER FILMS INCLUDING :
CYCLOOLEFIN COPOLYMER AND :
STYRENE-BUTADIENE COPOLYMER :

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

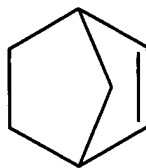
STATEMENT CONCERNING SUBSTANCE OF INTERVIEW AND
CONFIRMATION OF ELECTIONS

Sir:

The Examiner's *Interview Summary* mailed December 28, 2010 accurately reflects the substance of the *Interview*. Applicant hereby confirms its election of Group I, Claims 1-28, 50-70 and 78, drawn to film. With respect to Group I, election of cycloolefin species was also required to one of the structures recited in Claims 12 or 52 or norbornene. Applicants hereby elect the structure I of Claim 52 which corresponds to Structure A of Claim 12:



wherein R^{15} , R^{17} , and R^{18} are the same or different and are H, a C_6 - C_{20} -aryl or C_1 - C_{20} alkyl radical or a halogen atom. A particularly preferred species is:



norbornene

This election of species is also made with traverse. Under international practice, *Unity of Invention* exists when the claimed subject matter is directed to the same general inventive concept and the claims are linked by special technical features; *PCT Rule 13* governs:

Rule 13

Unity of Invention

13.1 Requirement

The international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention").

13.2 Circumstances in Which the Requirement of Unity of Invention Is to Be Considered Fulfilled

Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving *one or more* of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

13.3 Determination of Unity of Invention Not Affected Manner of Claiming

The determination whether a group of inventions is so linked as to form a single general inventive concept shall be made without regard to whether the inventions are claimed in separate claims or as alternatives within a single claim.

All claims of Group I encompass elected species. The following claims of Group I are generic to the elected species: 1-10, 12-17, 21-28, 50-53, 55, 59-70 and 78.

The following claims of Group I are readable on elected species: 11, 18- 20, 54 and 56-58.

The foregoing elections are made pursuant to the restriction and election requirements with traverse because all claims are linked by special technical features as required under international practice. In particular, the packaging and method claims recite common special technical features with the elected film claims.

A response to the other issues raised in the *Official Action* of December 28, 2010 will be filed in due course, together with further remarks as to why the non-elected claims should be rejoined.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mw Ferrell", written in a cursive style.

Michael W. Ferrell
Attorney for Applicants
Reg. No. 31,158

Ferrells, PLLC
P.O. Box 312
Clifton, Virginia 20124-1706
Telephone: 703-968-8600
Facsimile: 703-968-5500
January 25, 2011